

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE HIGH-TECH EMPLOYEE
ANTITRUST LITIGATION

Master Docket No. 11-CV-2509-LHK

ORDER RE: ADMINISTRATIVE MOTIONS

THIS DOCUMENT RELATES TO:

ALL ACTIONS

On October 1, 2012, Plaintiffs filed their Motion for Class Certification. ECF No. 187. On November 12, 2012, Defendants filed their Opposition to Plaintiffs' Motion for Class Certification ("Opposition"). ECF No. 209. In addition to the Opposition, Defendants filed a Motion to Strike the report of Plaintiffs' expert, Dr. Edward E. Leamer ("Motion to Strike"). ECF No. 210. Pursuant to Local Rule 7-3(a), Plaintiffs' Opposition to Defendants' Motion to Strike is due November 26, 2012.

On November 12, 2012, Defendants also filed an Administrative Motion seeking an evidentiary hearing in connection with the Motion for Class Certification so that Dr. Leamer and Defendants' expert, Kevin Murphy, may testify and be cross-examined. ECF No. 213 ("Motion for an Evidentiary Hearing"). Plaintiffs filed their response to Defendants' Motion for an Evidentiary Hearing on November 16, 2012. ECF No. 237.

On November 15, 2012, Plaintiffs filed an Administrative Motion in which Plaintiffs argue that Defendants' Motion to Strike is improper and should not be considered. *See* Administrative Motion for Order Compelling Defendants to Comply with Civil Local Rules 7-3(a) and 3-4(c)(2). ECF No. 232 ("Administrative Motion"). Plaintiffs also argue that Defendants' Opposition should be rejected because Defendants used Garamond font instead of Times New Roman font. *Id.* at 1. Plaintiffs contend that Defendants use of Garamond font allowed Defendants "to squeeze in over one-and-a-half pages of argument beyond the 25-page limit." *Id.* Defendants filed their response to Plaintiffs' Administrative Motion on November 19, 2012. ECF No. 138.

On November 16, 2012, Plaintiffs filed an additional motion to remove the Declaration of Brendan P. Glackin in Support of Administrative Motion for Order Compelling Defendants to Comply with Civil Local Rules 7-3(a) and 3-4(c)(2) (ECF No. 233) because the declaration contained material designated as confidential pursuant to the parties' protective order. *See* ECF No. 235 ("Motion to Remove the Glackin Declaration"). Plaintiffs state that they inadvertently filed the redacted version of the material. *Id.*

Having considered the parties submissions and the relevant case law, the Court hereby ORDERS that:

(1) Plaintiffs' deadline to respond to Defendants' Motion to Strike shall be December 10, 2012. Pursuant to Local Rule 7-3(a), Plaintiffs have 25 pages in which to respond to the Motion to Strike;

(2) Defendants shall not be permitted to file a Reply in Support of their Motion to Strike;

(3) All future briefs filed by the parties shall use size 12, Times New Roman font with the default character spacing settings;

(4) Defendants' Motion for an Evidentiary Hearing is DENIED; and

(5) Plaintiffs' Motion to Remove the Glackin Declaration is GRANTED. However, the Court is unable to remove the documents from the online docket. Instead, the Court ORDERS that

the Clerk permanently lock ECF No. 233 (the Glackin Declaration) and its two attachments on the online docket to prevent public access.¹

IT IS SO ORDERED.

Dated: November 21, 2012


LUCY H. KOH
United States District Judge

United States District Court
For the Northern District of California

¹ These documents were provisionally locked on November 17, 2012.